

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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4	RELIANT TECHNOLOGIES, INC., a)	Case No. 3:08-cv-2515
5	corporation,)	Judge Maxine M. Chesney
6	Plaintiff,)	<u>[ALTERNATIVE PROPOSED] ORDER</u>
7	vs.)	
8	ROBERT LANE McDANIEL, an)	
9	individual,)	
10	Defendant.)	

Before the Court is Defendant Robert Lane McDaniel's Motion to Dismiss for Lack of Personal Jurisdiction (Doc. 11), which Plaintiff Reliant Technologies, Inc. ("Reliant") has opposed. Defendant seeks to dismiss Reliant's Amended Complaint for cybersquatting, trademark infringement, common law unfair competition, and violation of the California Unfair Practices Act, Cal. Bus. & Prof. Code § 17200.

In its opposition brief, Reliant requested "an opportunity to take limited discovery for a sixty (60) day period to respond fully to Defendant's Motion to Dismiss." Because the Court finds that "pertinent facts bearing on the question of jurisdiction are controverted" and "a more satisfactory showing of the facts is necessary," *see Data Disc, Inc. v. Systems Tech. Assocs., Inc.*, 557 F.2d 1280, 1285 n.1 (9th Cir. 1977), Reliant's request for discovery is hereby

GRANTED.

Reliant shall have sixty (60) days to conduct limited discovery from Plaintiff, limited in scope to issues potentially relevant to Defendant's Motion to Dismiss, but not limited in

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1 procedure. Reliant may serve interrogatory requests, requests for production of documents, and
2 requests to admit, and may take one deposition of Defendant. After sixty (60) days, Defendant
3 shall renote his motion for a hearing date not less than thirty-five (35) days from the notice.

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5 **IT IS SO ORDERED**

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7 Dated:

8 MAXINE M. CHESNEY
United States District Judge